



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,386	04/11/2001	Stig Linander	CISCP225	3783

22434 7590 01/30/2006

BEYER WEAVER & THOMAS LLP  
P.O. BOX 70250  
OAKLAND, CA 94612-0250

EXAMINER

WONG, BLANCHE

ART UNIT	PAPER NUMBER
----------	--------------

2667

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/833,386

Applicant(s)

LINANDER, STIG

Examiner

Blanche Wong

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-7, 9-15, 47-61 and 63-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 3, 7, 9, 11-15, 51-53, 55, 59, 60, 63 and 65-76 is/are allowed.
- 6) ☒ Claim(s) 4, 5, 6, 10, 47-50, 54, 56-58, 61 and 64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 11,48 are objected to because of the following informalities: parallel sentence construction and consistency.
  - With regard to cl. 11, ln. 11, -- wherein – should be removed where there is a – wherein – in ln. 8.
  - With regard to cl. 48, ln. 1, -- wherein – should appear in ln. 2 in consistent with ln. 5 and among other dependent claims of claim 47. The same goes for claims 51 and 55.
  - With regard to claim 54, ln. 12, -- wherein the system is further configured or designed – should be replaced by “the system being further configured or designed – in consistent with ln. 9.
  - With regard to claim 61, ln. 8, -- wherein the system is further configured or designed – should be replaced by “the system being further configured or designed – in consistent with ln. 6.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 4,5,6,10,47-50,54,56-58,61,64** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claims 5 and 6 and 10, it is unclear whether “the first portion of communication request messages”, in ln. 8 and also ln. 9, is the same as “the first plurality of communication request messages” in ln. 7.

With regard to claims 5 and 6 and 10, it is unclear whether “the second portion of communication request messages”, in ln. 12-13, is the same as “the second plurality of communication request messages” in ln. 10.

With regard to claim 47, it is unclear whether “a first plurality of communication request message” in ln. 13-14 is the same as “the first plurality of communication request messages” in ln. 12-13.

With regard to claim 48, it is unclear whether “the next communication request” in ln. 7 is the same as “the next communication request message” in ln. 5-6.

With regard to claims 54 and 56, it is unclear whether “the communication request messages” in ln. 11, is the same as any other communication request messages or “the selected communication request messages”.

With regard to claim 56, it is unclear what is “the communication request message” in ln. 14, whether it is one of the selected communication request messages in ln. 9-10 or one of the communication request messages in ln. 11.

With regard to claim 56, ln. 15, it is unclear whether “an interactive network adaptor” in ln. 15 is the same as “an interactive network adaptor” in ln. 13.

With regard to claim 61, it is unclear what is “a first group of the first portion of nodes” in ln. 5 and whether it is the same as “a first portion of the plurality of nodes” in ln. 3; what is “the first portion of nodes” in ln. 9 and whether it is the same as “the first portion of the plurality of nodes” in ln. 3; and what is “a second group of the first portion of nodes” in ln. 11 and whether it is meant “a second portion of the plurality of nodes” in consistent with “a first portion of the plurality of nodes” in ln. 3.

With regard to claim 64, ln. 6-7, it is unclear what is “the first communication request” in ln. 6-7 and whether it is the same as “the first plurality of communication request messages” in cl. 63, ln. 8.

4. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation “the next communication request message” in ln. 3.

Claims 5 and 6 and 10, recite the limitation “the first portion of communication request messages”, in ln. 8 and 9.

Claims 5 and 6 and 10, recite the limitation “the second portion of communication request messages”, in ln. 12-13.

Claim 5 recites the limitation “the next communication request message” in ln. 14.

Claim 10 recites the limitation “the first portion of nodes” in ln. 7.

Claims 49 and 50, recites the limitation “the next communication request message” in ln. 3-4.

Claim 61 recites the limitation “the filter parameter values” in ln. 6-7.

Claim 64 recites the limitation “the first communication request” in ln. 6-7.

***Allowable Subject Matter***

5. **Claims 2-3,7,9,11-15,51-53,55,59,60,63,65-76** are allowed.

***Conclusion***


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*BW*

BW  
January 23, 2006

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2667 1/25/06